

SENATE BILL No. 309

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-20; IC 20-26-5-1.

Synopsis: Early childhood education. Specifies areas included in an educational services center's purchasing authority. Establishes the early education trust fund (fund), administered by the department of education (department), to provide funding and grants for educational programs for children from birth through seven years of age. Requires school corporations that receive Title I funding to offer full-day kindergarten beginning with the 2007-2008 school year, and all school corporations to offer full-day kindergarten beginning with the 2009-2010 school year. Appropriates \$1,500,000 to the fund to be used for matching grants to school corporations to participate in the Imagination Library to provide books for children from birth through five years of age. Requires the department to enter into an agreement with a qualified entity to conduct a study and to prepare a report on the amount of money attributable to each factor within the complexity index and to develop a fixed cost index for each school corporation in Indiana.

Effective: July 1, 2006.

**Simpson, Sipes, Breaux, Rogers,
Skinner**

January 9, 2006, read first time and referred to Committee on Education and Career Development.

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Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

SENATE BILL No. 309

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-20-1-2, AS ADDED BY P.L.1-2005, SECTION
2 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
3 2006]: Sec. 2. (a) As used in this chapter, "educational service center"
4 means an extended agency of school corporations that:

- 5 (1) operates under rules established by the state board;
- 6 (2) is the administrative and operational unit that serves a
7 definitive geographical boundary; and
- 8 (3) allows school corporations to voluntarily cooperate and share
9 programs and services that the school corporations cannot
10 individually provide but collectively may implement.

11 (b) Programs and services collectively implemented through an
12 educational service center may include, but are not limited to, the
13 following:

- 14 (1) Curriculum development.
- 15 (2) Pupil personnel and special education services.
- 16 (3) In-service education.
- 17 (4) State-federal liaison services.



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- (5) Instructional materials and multimedia services.
- (6) Vocational and career education.
- (7) Purchasing and financial management, **including the following types of purchases and services:**
 - (A) School buses and other vehicles.
 - (B) Fuel, maintenance, or other services for vehicles.
 - (C) Energy needs. At least each school corporation shall, and more than one (1) school corporation acting jointly may, be considered a single purchaser of energy.
 - (D) Food services.
 - (E) Facilities.
 - (F) Transportation.
 - (G) Textbooks, technology, and other school materials and supplies.
 - (H) Insurance.
 - (I) Any other purchases a school corporation may require.
- (8) Needs assessment.
- (9) Computer use.
- (10) Research and development.

SECTION 2. IC 20-20-33 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]:

Chapter 33. Early Education Trust Fund

Sec. 1. As used in this chapter, "fund" refers to the early education trust fund established by section 2 of this chapter.

Sec. 2. (a) The early education trust fund is established for the purpose of receiving, holding, and disbursing funds and grants for early education initiatives and programs under this chapter. The fund shall be administered by the department.

(b) The fund consists of money appropriated by the general assembly, federal grants, and private grants and gifts.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(e) There is appropriated continuously to the department from the fund the amount necessary to carry out the purposes of this chapter.

Sec. 3. (a) When funds are available, the department shall call for proposals from school corporations, schools, units of local

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government, and private entities to provide programs for children from birth through seven (7) years of age, including the following types of programs:

- (1) Full-day kindergarten.
- (2) Early reading programs, such as the Imagination Library.
- (3) Head Start and preschool programs, including the expansion of existing programs.
- (4) Parental education programs, such as Parents as Teachers.
- (5) Any other innovative program or service that provides early childhood education.

(b) The department may establish matching fund requirements to receive grants from the fund. An entity seeking a grant that requires a match may use federal funds, state funds, local funds including property tax revenues, private funds, and in-kind matches for the match.

Sec. 4. (a) The department shall:

- (1) evaluate and rank proposals received under section 3 of this chapter; and
- (2) present the results of the rankings to the state board.

(b) The state board shall decide which proposals will receive grants from the fund.

Sec. 5. The state board shall adopt rules under IC 4-22-2 to carry out this chapter. Rules adopted under this section must include criteria for consideration in evaluating programs and establishing matching requirements.

SECTION 3. IC 20-26-5-1, AS ADDED BY P.L.1-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. (a) A school corporation shall:

- (1) conduct an educational program for all children who reside within the school corporation in kindergarten (**subject to subsection (e)**) and in grades 1 through 12; and
- (2) provide each preschool child with a disability with an appropriate special education as required under IC 20-35-4-9 only if the general assembly appropriates state funds for preschool special education.

(b) A school corporation may:

- (1) conduct an educational program for adults and children at least fourteen (14) years of age who do not attend a program described in subsection (a);
- (2) provide instruction in vocational, industrial, or manual training;
- (3) provide libraries for the schools of the school corporation;

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(4) provide public libraries open and free for the use and benefit of the residents and taxpayers of the school corporation where permitted by law;

(5) provide vacation school and recreational programs;

(6) conduct other educational or other activities as are permitted or required to be performed by law by any school corporation; and

(7) provide a school age child care program that operates during periods when school is in session for students who are enrolled in a half-day kindergarten program.

(c) A school corporation shall develop a written policy that provides for:

(1) the implementation of a school age child care program for children who attend kindergarten through grade 6 that, at a minimum, operates after the school day and may include periods before school is in session or periods when school is not otherwise in session (commonly referred to as a latch key program) and is offered by the school corporation; or

(2) the availability of the school corporation's buildings or parts of the school corporation's buildings to conduct the type of program described in subdivision (1) by a nonprofit organization or a for-profit organization.

(d) The written policy required under subsection (c) must address compliance with certain standards of reasonable care for children served by a child care program offered under subsection (c), including:

(1) requiring the offering entity to acquire a particular amount of liability insurance; and

(2) establishing maximum adult to child ratios governing the overall supervision of the children served.

If a school corporation implements a child care program as described in subsection (c)(1) or enters into a contract with an entity described in subsection (c)(2) to provide a child care program, the school corporation may not assess a fee for the use of the building, and the contract between the school corporation and the entity providing the program must be in writing. However, the school corporation may assess a fee to reimburse the school corporation for providing security, maintenance, utilities, school personnel, or other costs directly attributable to the use of the building for the program. In addition, if a school corporation offers a child care program as described in subsection (c)(1), the school corporation may assess a fee to cover costs attributable to implementing the program.

(e) Beginning with the 2007-2008 school year, a school corporation shall offer a full-day kindergarten program in any

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1 school within the school corporation that has kindergarten classes
 2 and that is eligible to receive federal funding under Title I.
 3 Beginning with the 2009-2010 school year, a school corporation
 4 shall offer a full-day kindergarten program in each school within
 5 the school corporation that has kindergarten classes. However, a
 6 parent may elect:

7 (1) not to send a child to kindergarten; or

8 (2) to send a child to kindergarten for only a half day.

9 ~~(e)~~ (f) The powers under this section are purposes as well as powers.

10 SECTION 4. [EFFECTIVE JULY 1, 2006] (a) There is
 11 appropriated to the department of education one million five
 12 hundred thousand dollars (\$1,500,000) from the state general fund
 13 to fund the disbursement of the early education trust fund
 14 (established by IC 20-20-33-2, as added by this act) to the
 15 Imagination Library beginning July 1, 2006, and ending June 30,
 16 2007.

17 (b) Before January 1, 2007, the department of education shall
 18 enter into an agreement with the Imagination Library to establish
 19 a free book program for children from birth through five (5) years
 20 of age in Indiana.

21 (c) This SECTION expires July 1, 2007.

22 SECTION 5. [EFFECTIVE JULY 1, 2006] (a) The department of
 23 education shall enter into an agreement with an entity qualified to
 24 conduct a study and prepare a report on the amount of money
 25 attributable to each factor within the complexity index determined
 26 under IC 21-3-1.7-6.7 and to develop a fixed cost index for each
 27 school corporation in Indiana.

28 (b) Not later than January 1, 2007, the entity with which the
 29 department of education enters into an agreement under
 30 subsection (a) shall submit the report required under subsection (a)
 31 to the following:

32 (1) The state board of education.

33 (2) The education roundtable.

34 (3) The governor.

35 (4) The general assembly. A report under this subdivision
 36 must be in an electronic format under IC 5-14-6.

37 (5) The public.

38 (c) This SECTION expires June 30, 2007.

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